

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO: 3:05CV170**

**THE CINCINNATI INSURANCE COMPANY,)
)
Plaintiff)
)
v.)
)
DRY-WALL CAROLINAS, INC., BETTY)
CARVER, and TERRIE C. CAISON in her)
capacity as the Personal Representative of the)
Estate of Tommy L. Carver,)
)
Defendants.)**

ORDER

**TERRIE C. CAISON in her capacity)
as the Personal Representative of the)
Estate of Tommy L. Carver,)
)
Counter-Plaintiff,)
)
v.)
)
THE CINCINNATI INSURANCE COMPANY,)
)
Counter-Defendant.)**

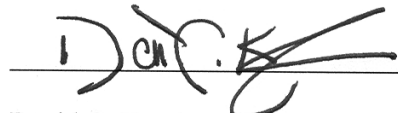
THIS MATTER IS BEFORE THE COURT *sua sponte* with respect to the status of this case. There has been no activity in this case since November 2006. Furthermore, the Court has reason to believe there may have been a change in the position of one or more parties. Accordingly, the Court directs the parties to file a written report, jointly if possible, indicating the status of the case. After such report is filed, the Court may – in its discretion – choose to hold a status conference.

In addition, the Court notes that the docket sheet does not reflect that an Initial Attorneys' Conference has been held pursuant to Local Rule 16.1 and Fed.R.Civ.P. 26(f) and that such conference is long overdue.

IT IS, THEREFORE, ORDERED that the parties shall file a written report, jointly if possible, indicating the status of the case, on or before **February 9, 2007**.

IT IS FURTHER ORDERED that the parties shall conduct an Initial Attorneys' Conference as soon as practicable, and shall file a written report of that conference along with a proposed discovery plan on or before **February 23, 2007**.

Signed: January 31, 2007



David C. Keesler
United States Magistrate Judge

